

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GAETANO DEVELOPMENT CORP., GATEWAY IV, :
LLC, and HARTFORD FIRE INSURANCE COMPANY :
a/s/o Gateway IV, LLC, :
:

Plaintiffs, :

-v- :
:

GOODMAN GLOBAL, INC., GOODMAN COMPANY, :
L.P., and GOODMAN MANUFACTURING COMPANY, :
L.P., :
:

Defendants. :
----- x

GOODMAN COMPANY, L.P., :
:

Third-Party Plaintiff, :
:

-v- :
:

TOWER MANUFACTURING CORPORATION, :
:

Third-Party Defendant. :
----- x

TOWER MANUFACTURING CORPORATION, :
:

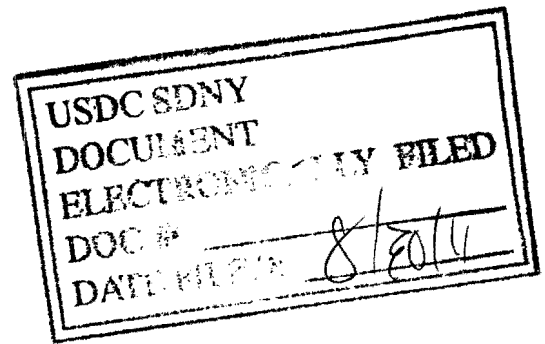
Fourth-Party Plaintiff, :
:

-v- :
:

EVEREX COMMUNICATIONS, INC., :
:

Fourth-Party Defendant. :
----- x

JED S. RAKOFF, U.S.D.J.



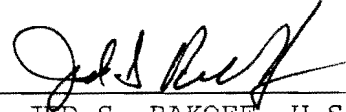
09 Civ. 10090 (JSR)

ORDER

The only remaining parties in this case--scheduled for trial on September 6, 2011--have informed the Court that they have reached a settlement. Accordingly, the claims in the cases entitled Goodman Co., L.P. v. Tower Manufacturing Corp. and Tower Manufacturing Corp. v. Everex Communications, Inc. are hereby dismissed with prejudice, but with leave to any party to move within 30 days from the date hereof to reopen either case

and proceed to trial if the settlement is not fully effectuated. The Clerk of the Court is now directed to enter judgment dismissing the entirety of this case and to close the case.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jed S. Rakoff', is written over a horizontal line.

JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
August 29, 2011